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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and Bernard L.
Madoff,

Plaintiff,

v.

ESTATE OF ANTHONY E. STEFANELLI and
PATRICIA MORETTA, solely in her capacity as
personal representative of the Estate of Anthony E.
Stefanelli

Adv. Pro. No. 10-04592 (SMB)

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated SIPA liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and Defendant Estate of Anthony E. Stefanelli, and Patricia Moretta, solely in her capacity as personal representative of the Estate of Anthony E. Stefanelli (collectively “Defendants”), by and through their counsel, Steven R. Schoenfeld of DelBello Donnellan Weingarten Wise & Wiederkehr LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against NTC & Co. LLP, as former custodian of an Individual Retirement Account for the benefit of Anthony E. Stefanelli, and, Anthony E. Stefanelli.
2. On January 10, 2012, the Trustee filed and served the Amended Complaint against then Defendant Anthony E. Stefanelli.
3. On February 23, 2015, Defendant filed an answer to the First Amended Complaint.
4. On April 30, 2019 the Parties entered into a settlement agreement (the “Settlement Agreement”) pursuant to the Settlement Procedures Order entered by this Court on November 12,

2010 [ECF No. 3181].

5. In accordance with Federal Rule of Civil Procedure 41(a)(1), made applicable hereto by Federal Rule of Bankruptcy Procedure 7041, the Parties hereby stipulate to a dismissal of the Adversary Proceeding with prejudice and without costs to either Trustee or Defendants.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

[Remainder of page intentionally left blank.]

The Bankruptcy Court shall retain jurisdiction over this Stipulation.

Date: May 6, 2019
New York, New York

BAKER & HOSTETLER LLP

By: /s/ Keith R. Murphy
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Securities LLC and the Estate of Bernard L.
Madoff*

**DELBELLO DONNELLAN
WEINGARTEN WISE & WIEDERKEHR
LLP**

By: /s/ Steven R. Schoenfeld
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Attorneys for Defendants

SO ORDERED:

Dated: May 6th, 2019
New York, New York

/s/ STUART M. BERNSTEIN
Hon. Stuart M. Bernstein
United States Bankruptcy Judge